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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/696,936	10/30/2003	Andrew Rodney Ferlitsch	SLA1240	1036
7590 Gerald W. Maliszewski P.O. Box 270829 San Diego, CA 92198-2829				
EXAMINER DHINGRA, PAWANDEEP				
ART UNIT 2625		PAPER NUMBER		
MAIL DATE 09/04/2008		DELIVERY MODE PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/696,936

Applicant(s)

FERLITSCH, ANDREW RODNEY

Examiner

PAWANDEEP S. DHINGRA

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 May 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,2,4-12 and 14-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,2,4-12 and 14-21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/S508)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

- This action is responsive to the following communication: Amendment after non-final rejection filed on 5/22/2008.
- Claims 3 and 13 are cancelled.
- Claims 1-2, 4-12 and 14-21 are now pending.

Response to Arguments

Applicant's arguments filed 5/22/2008 have been fully considered but they are not persuasive.

Applicant argues that Shimizu fails to disclose the limitation "converting the GDI data into an internal representation (IR) data format proprietary to the document processing application" as recited in claim 1.

In reply, examiner asserts that Shimizu discloses converting the print information (GDI data) into information dependent upon device driver. This information is further converted into print data according to the page description language (i.e. PDL) (see paragraphs 51-53). Examiner further asserts that PDL encompasses various document processing applications such as Adobe Acrobat, Postscript, etc. Hence, converting information according into PDL data format can be read as IR data format proprietary to the document processing application.

Applicant further argues that Mori fails to teach the limitations of claim 3 - which are now incorporated into claim 1.

In reply, examiner asserts that Mori teaches supplying the IR data (PDL or PDF files) to a user interface (UI) display (preview display) (see paragraphs 186-197); accepting user commands at the UI (see paragraphs 203-207); and, manipulating the IR data in response to the user commands (see paragraphs 199-208, note that the IR data (PDF data) is displayed to a user at a UI, where a user can provide editing commands at the UI and the PDF data gets edited in response to user instructions).

Since the combination of Shimizu and Mori teaches all the limitations of amended claim 1 (also see discussion of claim 1 below), applicant's rest of the arguments regarding the prima facie case of obviousness not being supported and combination of references does not disclose all the limitations of claim 1, have been rendered moot.

Examiner Notes

Examiner cites particular paragraphs, columns and line numbers in the references as applied to the claims below for the convenience of the applicant. Although the specified citations are representative of the teachings in the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested that, in preparing responses, the applicant fully consider the references in entirety as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the examiner.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis

for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-2, 4-7, 10-12, 14-17 and 20-21 are rejected under 35

U.S.C. 103 as being unpatentable over Shimizu, US 2002/0054313 in view of Mori et al., US 2002/0069228.

Re claim 1, Shimizu discloses a scan subsystem document processing method (see figure 1), the method comprising: at a document processing application (i.e. application program 201), accepting graphics device interface (GDI) data; and, converting the GDI data into an internal representation (IR) data format proprietary to the document processing application (see paragraphs 51-56, note that Shimizu discloses converting the print information (GDI data) into information dependent upon device driver. This information is further converted into print data according to the page description language (i.e. PDL). PDL encompasses various document processing applications such as Adobe Acrobat, Postscript, etc. Hence, converting information according into PDL data format can be read as IR data format proprietary to the document processing application).

Shimizu fails to further disclose supplying the IR data to a user interface (UI) display; accepting user commands at the UI; and, manipulating the IR data in response to the user commands.

However, Mori teaches supplying the IR data (PDL or PDF files) to a user interface (UI) display (preview display) (see paragraphs 186-197); accepting user commands at the UI (see paragraphs 203-207); and, manipulating the IR data in response to the user commands (see paragraphs 199-208, note that the IR data (PDF data) is displayed to a user at a UI, where a user can provide editing commands at the UI and the PDF data gets edited in response to user instructions). (Examiner notes that Mori also teaches converting the GDI data into an internal representation (IR) data format proprietary to the document processing application (see paragraphs 185-186).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention to modify the printing & image processing system as disclosed by Shimizu to include the print control method as taught by Mori for the benefit of having a print control method in a document processing system for providing an edit function for document data generated by a document processing program as taught by Mori in paragraph 1.

Re claim 2, Mori further teaches parsing the IR data into a standard language document format specified for use with the document processing application; and, saving the standard language document in storage memory (see paragraphs 173-208).

Re claim 4 Shimizu fails to further disclose accepting GDI data at a document processing application includes accepting the GDI data at a document processing application selected from the group including text, vector, and graphics applications.

However, Mori teaches accepting GDI data at a document processing application includes accepting the GDI data at a document processing application selected from the group including text, vector, and graphics applications (see paragraphs 173-185).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention to modify the printing & image processing system as disclosed by Shimizu to include the print control method as taught by Mori for the benefit of having a print control method in a document processing system for providing an edit function for document data generated by a document processing program as taught by Mori in paragraph 1.

Re claim 5, Shimizu discloses at a scan subsystem (see figure 1), accepting scan data (see paragraphs 41 & 65); converting the scan data into device dependent interface (DDI) data (see paragraphs 41-65);

Shimizu fails to further disclose converting the DDI data to GDI data.

However, Mori teaches converting the DDI data to GDI data (see paragraphs 321-327).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention to modify the printing & image processing system as disclosed by Shimizu to include the print control method as taught by Mori for the benefit of having a print control method in a document processing system for providing an edit function for document data generated by a document processing program as taught by Mori in paragraph 1.

Re claim 6, Shimizu discloses accepting scan data includes accepting proprietary formatted scan data (see paragraph 41); wherein converting the scan data into DDI data includes converting the proprietary scan data to an operating system (OS) specific DDI data format (see paragraph 51-56) (see also paragraph 34-65).

Shimizu fails to further disclose wherein converting the DDI data to GDI data includes converting the OS specific DDI data to a standard GDI data format.

However, Mori teaches converting the DDI data to GDI data includes converting the OS specific DDI data to a standard GDI data format (see paragraph 173-208; 321-327).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention to modify the printing & image processing system as disclosed by Shimizu to include the print control method as taught by Mori for the benefit of having a print control method in a document processing system for providing an edit function for document data generated by a document processing program as taught by Mori in paragraph 1.

Re claim 7, Shimizu discloses accepting scan data includes accepting scan data from a device selected from the group including a scanning device, facsimile device, electronic whiteboard, tablet personal computer, and a storage device (see paragraphs 34-65).

Re claim 10, Shimizu further discloses converting IR data into GDI data; at a print subsystem, converting the GDI data into DDI data; converting the DDI data into printer-ready data (see paragraphs 34-65).

Mori also teaches converting IR data into GDI data; at a print subsystem, converting the GDI data into DDI data; converting the DDI data into printer-ready data (see paragraph 173-208; 321-327).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention to modify the printing & image processing system as disclosed by Shimizu to include the print control method as taught by Mori for the benefit of having a print control method in a document processing system for providing an edit function for document data generated by a document processing program as taught by Mori in paragraph 1.

Re Claims 11-12 & 14-17, claims 11-12 & 14-17 recite identical features, as claims 1-2 & 4-7, except claims 11-12 & 14-17 are apparatus claims. Thus, arguments made for claims 1-2 & 4-7 are applicable for claims 11-12 & 14-17.

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Re claim 21, Shimizu further discloses a memory having an interface to accept the standard language document for persistent storage (see paragraphs 34-65, 72-83).

Mori also teaches a memory having an interface to accept the standard language document for persistent storage (see paragraph 173-208).

3. Claims 8-9, and 18-19 are rejected under 35 U.S.C. 103 as being unpatentable over Shimizu, US 2002/0054313 in view of Mori et al., US 2002/0069228 further in view of well known art.

Re claim 8, Shimizu discloses converting scan data to DDI data (see paragraph 41-65).

Shimizu fails to explicitly disclose scan data includes journaled scan data. However, Official Notice is taken to note that ability to scan journaled data is notoriously well known and commonly used in the art. It would have been obvious to scan documents including journaled documents in addition to other common document formats and then convert them to DDI data for the benefit of providing the user with increased flexibility and options.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention to modify the printing & image processing system as disclosed by Shimizu to include the print control method as taught by Mori for the benefit of having a print control method in a document processing system for providing an

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edit function for document data generated by a document processing program as taught by Mori in paragraph 1.

Re claim 9, Shimizu discloses converting scan data includes: despooling the scan data; converting the scan data to DDI data (see paragraphs 34-65, 72-83).

Shimizu fails to explicitly disclose scan data includes journaled scan data; respooling the DDI data; and, wherein converting the DDI data to GDI data includes subsequently despooling the DDI for conversion into GDI data.

However, Mori teaches respooling the DDI data; and, wherein converting the DDI data to GDI data includes subsequently despooling the DDI for conversion into GDI data (see paragraph 173-208; 321-327).

Official Notice is taken to note that ability to scan journaled data is notoriously well known and commonly used in the art. It would have been obvious to scan documents including journaled documents in addition to other common document formats and then convert them to DDI data for the benefit of providing the user with increased flexibility and options.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention to modify the printing & image processing system as disclosed by Shimizu to include the print control method as taught by Mori for the benefit of having a print control method in a document processing system for providing an

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edit function for document data generated by a document processing program as taught by Mori in paragraph 1.

Re Claims 18-19, claims 18-19 recite identical features, as claims 8-9, except claims 18-19 are apparatus claims. Thus, arguments made for claims 8-9 are applicable for claims 18-19.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to PAWANDEEP S. DHINGRA whose telephone number is (571)270-1231. The examiner can normally be reached on M-F, 9:30-7:00.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Twyler L. Haskins can be reached on 571-272-7406. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/P. D./

Examiner, Art Unit 2625

***/Twyler L. Haskins/
Supervisory Patent Examiner, Art Unit 2625***